

Remarks:

Reconsideration of the application is respectfully requested.

Claims 1 and 3-35 are presently pending in the application.

Claims 1, 5, 6, 15-19, 21, 22, 25, 26, 34 and 35 have been amended. Claim 2 has been canceled.

In item 1 on page 2 of the above-identified Office Action, claim 35 has been objected to because of the following informalities. Claim 35 incorrectly depended on a non-existent claim and there was a typographical error in line 4 of claim 35. The Examiner's suggested corrections have been made. Claim 35 now depends on claim 26 and has the limitation "clear a connection."

In item 3 on page 2 of the Office Action, claims 1-4, 7-17, 19-25, 30, and 33 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Voit et al. (U.S. Patent No. 6,157,636).

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. Claim 1 has been amended to define that the data network is an Internet Protocol data network.

Support for the limitation that the data network may be an

Internet Protocol data network can for example be found on page 11, lines 5-21 and on page 15, lines 15-17 of the specification. Support for the method step added to claim 1 may be found on page 3, lines 20-22 of the specification. Claim 22 has also been clarified. Dependent claims have been amended in order to be consistent with the wording in amended claims 1 and 22.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Amended claim 1 relates to a method of routing in an Internet Protocol data network. Amended claim 1 includes, inter alia, the steps of:

- assigning a first piece of information contained in the data packet to a second piece of information available to the network node, the second piece of information relating to at least one of a user and services existing in the Internet Protocol data network; and
- determining, with the network node, a route for the data packet through the Internet Protocol data network to a destination address by determining at least one further network node through which the route passes based on the second piece of information.

By way of example, the method of the present invention ensures that a suitable route is selected if the user requests increased security or, if a destination in a Corporate Network is to be accessed, the method of the present invention can ensure that a route exclusively through this Corporate Network is selected (see page 9, line 25 to page 10, line 5 of the specification).

Voit et al. disclose using a second information for allowing sending of data packets into or via a data network, i.e. allowing/denying access to the data network on the basis of the second information. However, Voit et al. do not disclose sending data packets based on the second piece of information which relates to a user or services existing in the data network, i.e. using a route determined on the basis of the second piece of information.

Consequently, Voit et al. do not disclose the step of passing on the data packet to a next network node on the route which has been determined based on the second piece of information relating to a user or services existing in the network. Voit et al. also do not disclose the step of uniquely determining the route of the data packet from the network node to a defined node of available nodes.

The Examiner points to col. 2, lines 41-53 of the patent to Voit et al. in order to show the above-mentioned steps. There it is described that each router has its respective database table and sends the data packet to a next router as determined from its database table. In other words, a first router sends the data packet to a second router as determined from the first router's database table, the second router sends the data packet to a third router as determined from the second router's database table and so forth. This is continued until the data packet arrives at the destination computer. Col. 2, lines 48-50 of the patent to Voit et al. only discloses that separate packets may travel on different paths depending on traffic load, but Voit et al. do not disclose or teach that the data packet should be passed to the next network node based on information relating to a user or services rather than based on a respective database table of a respective router. Thus the subject matter of amended claim 1 is not anticipated by the disclosure of Voit et al.

Correspondingly, amended claim 22 relates to an apparatus for routing data packets in an Internet Protocol data network, including:

- a processor for receiving, processing, and passing on the data packets;

- a first storage operatively connected to the processor for storing supplemental information relating to at least one of a user and services existing in the Internet Protocol data network;
- a second storage operatively connected to the first storage for storing administrative information;
- a mapper operatively connected to the first storage for determining a mapping of logic computer names on network addresses and vice versa; and
- a router operatively connected to the processor for determining a route for each of the data packets, on the basis of information gathered from the data packets and the stored supplemental information relating to at least one of the user and the services existing in the Internet Protocol data network, the router determining at least one node through which the route passes.

In contrast, Voit et al. do not disclose a first storage for storing supplemental information (see second piece of information in amended claim 1) relating to a user or services, and a router for determining a route for each of the data packets, on the basis of information gathered from the data packets and the stored supplemental (user or services related) information.

The Examiner is of the opinion that the Internet Telephony Authorization and Usage Recording Object (C3) corresponds to the first storage of amended claim 1. Col. 9, line 65 to col. 10, line 62 of Voit et al. make it clear that the C3 object performs authentication and pricing functions. Specifically, the C3 object checks the password and the account balance. If the password is correct and the account balance permits a call, then the user can establish a connection. In other words, the C3 object only determines whether an access to a network is to be allowed or denied (see col. 10, lines 55-58). The C3 object does however not determine a specific route in the manner defined in claim 1 or 22. Thus, the subject matter of amended claim 22 is not anticipated or suggested by the patent to Voit et al.

It is accordingly believed that none of the references, whether taken alone or in any combination, teach or suggest the features of amended claim 1 or 22. Amended claims 1 and 22 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1 or 22.

In view of the foregoing, reconsideration and allowance of claims 1 and 3-35 are solicited.

Petition for extension is herewith made. The extension fee for response within a period of three month pursuant to Section 1.136(a) in the amount of \$1020.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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MB:cgm

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